

**BOARD FOR GEOLOGISTS AND GEOPHYSICISTS**

2535 CAPITOL OAKS DRIVE, SUITE 300A, SACRAMENTO, CA 95833-2926

TELEPHONE: (916) 263-2113

FAX: (916) 263-2099

E-mail: [geology@dca.ca.gov](mailto:geology@dca.ca.gov)Website: [www.geology.ca.gov](http://www.geology.ca.gov)

## Enforcement Action

### Tom Price

The Board for Geologists and Geophysicists (Board) issued a Citation and Fine of \$2,000 to Tom Price for violation of Business and Professions Code section 7872(a). Price prepared geologic workplans and a report entitled “Proposed Workplan for Site Characterization”, dated April 20, 1999, “Proposed Free Product Removal Workplan”, dated March 15, 1999 “Proposed Workplan for Site Characterization”, dated March 16, 1999 and “Addendum to Proposed Free Product Removal Workplan and Proposed Workplan for Site Characterization”, dated November 4, 1999, “Vapor Extraction Feasibility Testing Report”, dated July 6, 2004 signed Tom Price “Project Manager”, respectively (collectively called “Reports” herein). The Reports were subsequently submitted to Santa Clara County Valley Water District (SCVWD) and related to the former San Jose Glass Company site, 425 Auzerais Avenue, California.

Board records show that Mr. Price did not hold licensure as a Professional Geologist on or about the time of the submittal of the above-referenced Reports. Therefore, at all times relevant Mr. Price was not licensed to practice geology or offer to perform geologic services for others in the State of California.

The above-referenced Reports demonstrate that Mr. Price practiced and/or offered to provide geologic services at the time of the Report submittals. Specifically, Mr. Price violated Business and Professions Code section 7872(a) when he engaged in the professional practice of geology, interpreted the site geology, conducted site workplan characterization, interpreted environmental geologic datum and made recommendations based on environmental geologic interpretations documented in the aforementioned Reports.<sup>1</sup>

These violations constitute grounds for disciplinary action under Business and Professions Code section 7872(a). Title 16, California Code of Regulations, section 3062.1 of the Business and Professions Code authorizes assessment of administrative fines up to \$5,000 for violations of section 7872(a).

In accordance with section 125.9(d) of the Business and Professions Code, payment of the fine does not constitute admission of the violation charged and represents satisfactory resolution of the matter. Mr. Price agreed to pay the fine and the case was closed on September 28, 2006.

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<sup>1</sup> The Registered Environmental Assessor (REA) program “Performance Standards” under Title 14 California Code of Regulations, Chapter 3, subsection 19041(f) specifically state “**All engineering and geologic work shall be performed by a registered professional in compliance with the requirements of the Professional Engineers Act, Business and Professions Code sections 6700-6799 and the Geologists and Geophysicists Act, Business and Professions Code sections 7800-7887.**” (emphasis and italic added)